



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Before the Examiner:
Fred J. Molz IV) Javier G. Blanco
Serial No.: 10/757,819)
Filed: January 15, 2004) Group Art Unit: 3738
SPINAL IMPLANT CONSTRUCT AND) Attorney Docket: MSDI-667/
METHOD FOR IMPLANTATION) PC860.00
July 18, 2007)

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated April 19, 2007, please enter and consider the following amendments and remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

07/20/2007 HDESTA1 00000049 10757819
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
July 18, 2007
Date of Deposit
Brad A. Schepers
Name of Registered Representative
Signature
July 18, 2007
Date of Signature

Response to Non-Final Office Action
Application Serial No. 10/757819
Inventors: Molz
Filing Date: January 15, 2004

INTRODUCTORY COMMENTS

Claims 1-62 were pending in the subject application for the non-final Office Action mailed on April 19, 2007. Claims 4, 5, 16 and 40-62 have been withdrawn from consideration as being drawn to a non-elected species of the invention. Claims 1-3, 6-15 and 17-39 have been rejected on various grounds. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.